

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
**NEWMARKETS PARTNERS LLC,**

In its own capacity and derivatively,  
As a limited partner in, in the right, and  
For the benefit of:  
CAM NEWMARKETS PARTNERS LP,

**TOMOKO TATARA,**

Individually and derivatively as a member,  
And for the benefit, of:  
NEWMARKETS PARTNERS, LLC,  
In the right and for the benefit of  
CAM NEWMARKETS PARTNERS LP,  
Plaintiffs,

vs.

**SAL. OPPENHEIM JR. & CIE. S.C.A.**

**CAM PRIVATE EQUITY CONSULTING  
& VERWALTUNGS GmbH,**

**BVT BERATUNGS-, VERWALTUNGS-  
UND TREUHANDGESELLSCHAFT  
FÜR INTERNATIONALE VERMÖGENS-  
ANLAGEN MBH, and**

**MARIE-FRANCE MATHES,**

Defendants.  
-----X

Case No. 08 CV 4213 (WHP)

**MOTION TO ADMIT COUNSEL  
PRO HAC VICE**

Pursuant to Rule 1.3(c) of the Local Civil Rules of the United States District Court for the Southern District of New York, I, Bernard Daskal, a member of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of

Applicant's Name: L. Peter Farkas

Firm Name: Farkas + Toikka LLP

Address: 1101 30<sup>th</sup> Street, N.W., Suite 500

City/State/Zip: Washington, D.C. 20007

Telephone/Fax: (202) 337-7200/(202) 337-7808

Email Address: lpf@farkastoikka.com

FILED  
2008 JUL 31 PM 4:21  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Mr. Farkas is a member in good standing of the Bars of the State of New York and the District of Columbia. There are no pending disciplinary proceedings against L. Peter Farkas in any State or Federal court.

Dated: July 28, 2008  
New York, New York

Respectfully submitted,



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Bernard Daskal (BD-9263)  
LYNCH DASKAL EMERY LLP  
264 West 40th Street  
New York, New York 10018  
(212) 302-2400  
*Attorneys for Plaintiffs Newmarkets Partners  
LLC and Tomoko Tatara*

TO: James P. Tallon, Esq.  
SHEARMAN & STERLING LLP  
599 Lexington Avenue  
New York, NY 10022  
*Attorneys for Defendants Sal.  
Oppenheim, jr. & Cie, S.C.A., and  
CAM Private Equity Consulting  
Verwaltungs GmbH*

BVT Beratungs-, Verwaltungs- und Treuhandgesellschaft  
für Internationale Vermögensanlagen mbH  
Leopoldstrasse 7  
80802 Munich, Germany

Marie-France Mathes  
2853 Brandywine Street NW  
Washington D.C. 20008

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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For the benefit of:

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Individually and derivatively as a member,

And for the benefit of:

NEWMARKETS PARTNERS LLC,

In the right and for the benefit of

CAM NEWMARKETS PARTNERS LP,

Plaintiffs,

-against-

**SAL. OPPENHEIM JR & CIE. S.C.A,**

**CAM PRIVATE EQUITY CONSULTING &**

**VERWALTUNGS GmbH,**

**BVT BERATUNGS-, VERWALTUNGS- UND**

**TREUHANDGESELLSCHAFT FUR**

**INTERNATIONALE VERMOGENS-**

**ANLAGEN MBH, and**

**MARIE-FRANCE MATHES,**

Defendants.  
-----X

State of New York )

County of New York )

ss:

Bernard Daskal, being duly sworn, hereby deposes and says as follows:

1. I am a member of the law firm of Lynch Daskal Emery LLP, counsel for Plaintiffs in the above-captioned action, whose office is located at 264 West 40<sup>th</sup> Street, New York, New York 10018.

: 08 CV 4213 (WHP)

: **AFFIDAVIT OF BERNARD DASKAL, ESQ.**  
: **IN SUPPORT OF MOTION TO ADMIT**  
: **COUNSEL PRO HAC VICE**

2. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiffs' motion to admit L. Peter Farkas as counsel *pro hac vice* to represent Plaintiffs in this matter.

3. I am a member in good standing of the Bars of the States of New York and New Jersey and of the Bar of the District of Columbia.

4. I am also admitted to practice before the United States District Court for the Eastern District of New York, the United States District Court for the District of New Jersey, and am in good standing with this Court.

5. I have known L. Peter Farkas since January 2008.

6. Mr. Farkas is a member of the law firm of Farkas + Toikka LLP, 1101 30<sup>th</sup> Street, N.W., Suite 500, Washington, D.C. 20007.

7. Mr. Farkas is a member of the Bars of the State of New York and the District of Columbia. Certificates of Good Standing from New York and the District of Columbia are attached hereto as Exhibits A and B, respectively.

8. I certify that Mr. Farkas is a skilled attorney of good moral character.

9. I respectfully submit a proposed order granting the admission of L. Peter Farkas, *pro hac vice*, which is attached hereto as Exhibit C.

10. WHEREFORE, I respectfully request that the Court enter an order admitting L. Peter Farkas *pro hac vice* as counsel for Newmarkets Partners LLC and Tomoko Tatara and permitting Mr. Farkas to appear on its behalf for all purposes in the


matter captioned above, including but not limited to appearing on behalf of on its behalf to argue any and all motions and hearings in this matter and any other matters before this Court related to the case captioned above.

Dated: July 28, 2008  
New York, New York

Sworn to before me  
this \_\_\_ th Day of July, 2008

\_\_\_\_\_  
Notary Public

Respectfully submitted,



\_\_\_\_\_  
Bernard Daskal (BD-9263)  
LYNCH DASKAL EMERY LLP  
264 West 40th Street  
New York, New York 10018  
(212) 302-2400  
*Attorneys for Plaintiffs Newmarkets Partners  
LLC and Tomoko Tatara*

TO: James P. Tallon, Esq.  
SHEARMAN & STERLING LLP  
599 Lexington Avenue  
New York, NY 10022

*Attorneys for Defendants Sal.  
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80802 Munich, Germany

Marie-France Mathes  
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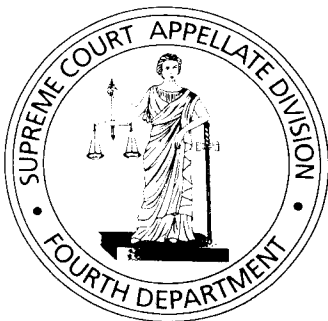
**SUPREME COURT OF  
THE STATE OF NEW YORK  
APPELLATE DIVISION, FOURTH DEPARTMENT  
ROCHESTER, NEW YORK**

*I, JOANN M. WAHL, Clerk of the Appellate Division of the Supreme Court in the Fourth Judicial Department, State of New York, do hereby certify that*

***L. PETER FARKAS***

*was duly admitted to practice as an attorney and counselor at law in all courts of this state by this Court on, **January 13, 1970**, and appears in good standing upon the roll of attorneys and counselors, and other records, in this office and has registered with the administrative office of the Courts as required by Judiciary Law §468-a.*

***IN WITNESS WHEREOF, I have  
hereunto set my hand and affixed the  
seal of this Court, at the City of  
Rochester, July 8, 2008.***



*Joann M. Wahl*  
\_\_\_\_\_  
Clerk of the Court



District of Columbia Court of Appeals  
Committee on Admissions  
500 Indiana Avenue, N.W. — Room 4200  
Washington, D. C. 20001  
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

L. PETER FARKAS

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was on the 2<sup>ND</sup> day of JULY, 1970

duly qualified and admitted as an attorney and counselor and entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on July 14, 2008.

GARLAND PINKSTON, JR., CLERK

By: *M. Charles*  
Deputy Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
**NEWMARKETS PARTNERS LLC,**

In its own capacity and derivatively,  
As a limited partner in, in the right, and  
For the benefit of:

CAM NEWMARKETS PARTNERS LP,  
**TOMOKO TATARA,**

Individually and derivatively as a member,

And for the benefit of:  
NEWMARKETS PARTNERS LLC,  
In the right and for the benefit of  
CAM NEWMARKETS PARTNERS LP,

Plaintiffs,

-against-

**SAL. OPPENHEIM JR & CIE. S.C.A,**  
**CAM PRIVATE EQUITY CONSULTING &**  
**VERWALTUNGS GmbH,**  
**BVT BERATUNGS-, VERWALTUNGS- UND**  
**TREUHANDGESELLSCHAFT FUR**  
**INTERNATIONALE VERMOGENS-**  
**ANLAGEN MBH, and**  
**MARIE-FRANCE MATHES,**

Defendants.  
-----X

: 08 CV 4213 (WHP)

:  
:  
:  
: **ORDER FOR ADMISSION**  
: **PRO HAC VICE ON**  
: **WRITTEN MOTION**

Upon the motion of Bernard Daskal, attorney for Plaintiffs Newmarkets Partners LLC and Tomoko Tatara and said sponsor attorney's affidavit in support;

**IT IS HEREBY ORDERED** that

Applicant's Name: L. Peter Farkas  
Firm Name: Farkas + Toikka LLP  
Address: 1101 30<sup>th</sup> Street, N.W., Suite 500  
City/State/Zip: Washington, D.C. 20007  
Telephone/Fax: (202) 337-7200/(202) 337-7808  
Email Address: lpf@farkastoikka.com



is admitted to practice pro hac vice as counsel for Plaintiffs Newmarkets Partners LLC and Tomoko Tatara in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated:  
New York, New York

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United States District/Magistrate Judge

LYNCH DASKAL EMERY LLP  
264 West 40<sup>th</sup> Street  
New York, New York 10018

Attorneys for Plaintiffs Newmarkets Partners LLC and Tomoko Tatara

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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<b>NEWMARKETS PARTNERS LLC,</b>	:
In its own capacity and derivatively,	:
As a limited partner in, in the right, and	:
For the benefit of:	:
CAM NEWMARKETS PARTNERS LP,	:
and	:
<b>TOMOKO TATARA,</b>	:
Derivatively as a member, and	:
For the benefit of:	:
NEWMARKETS PARTNERS LLC,	:
In the right and for the benefit of	:
CAM NEWMARKETS PARTNERS LP,	:
	:
Plaintiffs,	:
	:
-against-	:
	:
<b>SAL. OPPENHEIM JR &amp; CIE. S.C.A,</b>	:
<b>CAM PRIVATE EQUITY CONSULTING &amp;</b>	:
<b>VERWALTUNGS GmbH, and</b>	:
<b>BVT BERATUNGS-, VERWALTUNGS-</b>	:
<b>UND TREUHANDGESELLSCHAFT FUR</b>	:
<b>INTERNATIONALE VERMOGENS-</b>	:
<b>ANLAGEN MBH, and MARIE-FRANCE</b>	:
<b>MATHES,</b>	:
	:
Defendants.	X

-----  
STATE OF NEW YORK     )  
                              ) ss.:  
COUNTY OF NEW YORK   )

CHIMELOZONAM ELI ALLAGOA, being duly sworn, deposes and says:

1. I am not a party to this action, am over 18 years of age, and I reside at 140 WEST 111th STREET, Apt. #3, New York, NEW YORK 10026.

2. On the 31<sup>st</sup> day of July, 2008, I served a copy of the within **MOTION TO ADMIT COUNSEL PRO HAC VICE AND AFFIDAVIT IN SUPPORT OF MOTION TO ADMIT COUNSEL PRO HAC VICE** by depositing true and correct copies of the same, enclosed in post-paid, properly addressed envelopes, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York addressed as follows: :

**Marie-France Mathes**  
**2853 Brandywine Street NW**  
**Washington D.C. 20008**

Sworn to before me this  
31<sup>st</sup> day of July, 2008



Notary Public



CHIMELOZONAMELI ALLAGOO

**YOLANDA M. MIRANDA**  
Notary Public, State of New York  
No. 02MI6147571  
Qualified in New York County  
Commission Expires June 5, 2010

LYNCH DASKAL EMERY LLP  
264 West 40<sup>th</sup> Street  
New York, New York 10018

Attorneys for Plaintiffs Newmarkets Partners LLC and Tomoko Tatara

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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<b>NEWMARKETS PARTNERS LLC,</b>	:
In its own capacity and derivatively,	:
As a limited partner in, in the right, and	:
For the benefit of:	:
CAM NEWMARKETS PARTNERS LP,	:
and	:
<b>TOMOKO TATARA,</b>	:
Derivatively as a member, and	:
For the benefit of:	:
NEWMARKETS PARTNERS LLC,	:
In the right and for the benefit of	:
CAM NEWMARKETS PARTNERS LP,	:
	:
Plaintiffs,	:
	:
-against-	:
	:
<b>SAL. OPPENHEIM JR &amp; CIE. S.C.A,</b>	:
<b>CAM PRIVATE EQUITY CONSULTING &amp;</b>	:
<b>VERWALTUNGS GmbH, and</b>	:
<b>BVT BERATUNGS-, VERWALTUNGS-</b>	:
<b>UND TREUHANDGESELLSCHAFT FUR</b>	:
<b>INTERNATIONALE VERMOGENS-</b>	:
<b>ANLAGEN MBH, and MARIE-FRANCE</b>	:
<b>MATHES,</b>	:
	:
Defendants.	X

STATE OF NEW YORK     )  
                                  ) ss.:  
COUNTY OF NEW YORK   )

CHIMELOZONAM ELI ALLAGOA, being duly sworn, deposes and says:

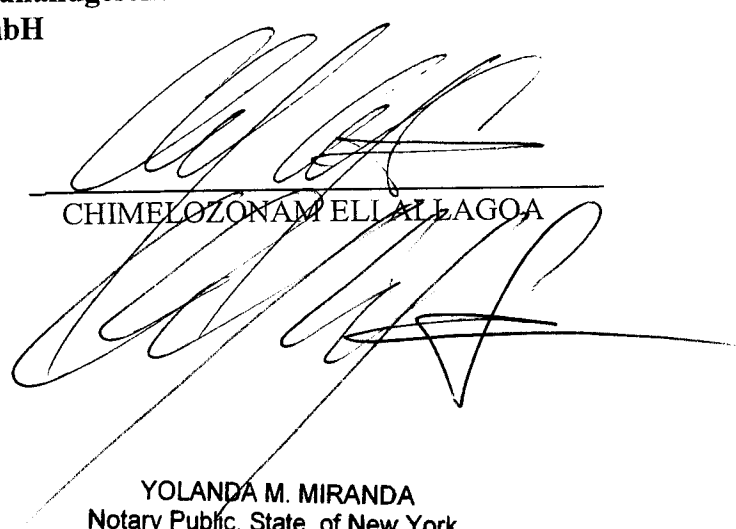
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**BVT Beratungs-, Verwaltungs- und Treuhandgesellschaft  
fur Internationale Vermögensanlagen mbH  
Leopoldstrasse 7  
80802 Munich, Germany**

Sworn to before me this  
31<sup>st</sup> day of July, 2008

  
Notary Public

  
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YOLANDA M. MIRANDA  
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LYNCH DASKAL EMERY LLP  
264 West 40<sup>th</sup> Street  
New York, New York 10018

Attorneys for Plaintiffs Newmarkets Partners LLC and Tomoko Tatara

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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**NEWMARKETS PARTNERS LLC,** :  
In its own capacity and derivatively, : Civil Action No.: 4213/08  
As a limited partner in, in the right, and :  
For the benefit of: :  
**CAM NEWMARKETS PARTNERS LP,** : **AFFIDAVIT OF SERVICE**  
and :  
**TOMOKO TATARA,** :  
Derivatively as a member, and :  
For the benefit of: :  
**NEWMARKETS PARTNERS LLC,** :  
In the right and for the benefit of :  
**CAM NEWMARKETS PARTNERS LP,** :  
:   
Plaintiffs, :  
:   
-against- :  
:   
**SAL. OPPENHEIM JR & CIE. S.C.A,** :  
**CAM PRIVATE EQUITY CONSULTING &** :  
**VERWALTUNGS GmbH, and** :  
**BVT BERATUNGS-, VERWALTUNGS-** :  
**UND TREUHANDGESELLSCHAFT FUR** :  
**INTERNATIONALE VERMOGENS-** :  
**ANLAGEN MBH, and MARIE-FRANCE** :  
**MATHES,** :  
:   
Defendants. X  
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**James P. Tallon, Esq.**  
**Sherman & Sterling LLP**  
**599 Lexington Ave**  
**5<sup>th</sup> Floor**  
**New York, New York 10022**

Sworn to before me this  
31<sup>st</sup> day of July, 2008

  
Notary Public

  
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